

Exhibit D

Vose, Charles

From: Catherine Duoat [cat@theaccidentallawyer.com]
Sent: Tuesday, April 29, 2008 2:58 PM
To: Vose, Charles
Cc: James Higa
Subject: Re: ORTEGA - JOINT CMC STATEMENT 3/7/08.DOC

Charles:

What I can do is file a corrected second amended complaint, because you were served with the proper second amended complaint and apparently, the wrong complaint was filed.

Then we can discuss you other issues.

Thanks,

Catherine ---- Original Message -----

From: Vose, Charles
To: Catherine Duoat
Cc: James Higa
Sent: Tuesday, April 01, 2008 11:23 AM
Subject: RE: ORTEGA - JOINT CMC STATEMENT 3/7/08.DOC

I have sent a draft to Mr. Higa and will forward the draft to you when I receive his comments.

Charles Vose

From: Catherine Duoat [mailto:cat@theaccidentallawyer.com]
Sent: Tuesday, April 01, 2008 10:13 AM
To: Vose, Charles
Subject: Re: ORTEGA - JOINT CMC STATEMENT 3/7/08.DOC

Dear Counsel:

We have a joint case management statement due tomarro. Please send me your draft today as I will not be in on Wednesday or Thursday.

Thanks,

Catherine
W

----- Original Message -----

From: Vose, Charles
To: James Higa ; Catherine Duoat ; Steven Jacobsen
Sent: Wednesday, March 05, 2008 5:26 PM
Subject: ORTEGA - JOINT CMC STATEMENT 3/7/08.DOC

Counsel - Here is a draft of the Updated Joint Case Management Conference Statement that is due Friday, March 7, 2008.

6/26/2008

Please review and send me any additions by the end of the day Thursday. I will be in court all day Friday and may be unable to make last minute changes.

Charles Vose

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[v1.01]

6/26/2008